



REGISTRAR OF REGULATIONS

COMMONWEALTH of VIRGINIA JAN 25 AM 11:08

Department of Health  
DIVISION OF SHELLFISH SANITATION  
109 Governor Street, Room 614-B  
Richmond, VA 23219

Ph: 804-864-7487  
Fax: 804-864-7481

**NOTICE AND DESCRIPTION OF CONDEMNED SHELLFISH AREA  
NUMBER 039-100, DYER CREEK**

**EFFECTIVE 1 FEBRUARY 2005**

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §9-6.14.4.1, B.16 of the *Code of Virginia*:

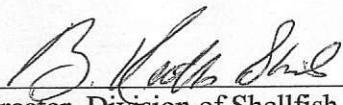
1. The "Notice of Establishment and Description of Seasonally Condemned Shellfish Area at Marina Facility Designation M-97, Mathews County," effective 13 April 1989 is cancelled effective 1 February 2005.
2. Condemned Shellfish Area Number 039-100, shown as Section A, is established, effective 1 February 2005. It shall be unlawful for any person, firm, or corporation to take shellfish from this section for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. The boundary of this section is shown on the map titled "Dyer Creek, Condemned Shellfish Area Number 039-100, 1 February 2005" which is part of this notice.
3. The seasonal shellfish condemnation area number 039-100 shown as Section M1 is hereby established, effective 1 April 2005, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It is unlawful for any person, firm or corporation to take shellfish from this section during such period for any purpose, except by permit granted by Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundary of this section is shown on the map titled "Dyer Creek, Condemned Shellfish Area Number 039-100, 1 February 2005" which is part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

**BOUNDARIES OF CONDEMNED AREA NUMBER 039-100**

- A. The condemned area shall include all of that portion of Dyer Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°20'15.2", -76°16'59.8") and map coordinate (37°20'16.4", -76°16'51.7").

- M1. The seasonally condemned area shall include all of that portion of Jacks Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°20'16.4", -76°16'27.2") and map coordinate (37°20'22.0", -76°16'23.2").

Recommended by:

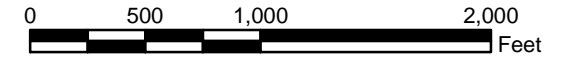
  
\_\_\_\_\_  
Director, Division of Shellfish Sanitation

Ordered by:

  
\_\_\_\_\_  
State Health Commissioner



01/19/2005  
\_\_\_\_\_  
Date

**Virginia Department of Health  
Dyer Creek  
Condemned Shellfish Area 039-100  
February 1, 2005**



Chesapeake Bay  
01-00-00



-  Condemned Shellfish Area (Section A)
-  Seasonally Condemned Shellfish Area (Section M1)

